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#10
Response
2876 2/22/02
amr

TO: EXAMINER JAMARA A. FRANKLIN
FAX NO.: (703) 872-9318
U.S. PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231

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FEB 19 2002

TECHNOLOGY CENTER 2800

In Re Patent Application of: Steven E. Koenck et al.
Application No. 09/597,917
Filed: 06/19/2000
For: "Modular Portable Data Processing Terminal for Use in a Radio Frequency
Communication Network"
(Attorney Docket Nos. 36767XZAB - 36767XZAE)
Group Art Unit 2876

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT OF 02/11/2002

Applicant is in receipt of a Notice of Non-Compliant Amendment dated 02/11/2002. The Notice refers to an amendment filed "1/29/02"; Applicant assumes that this refers to an AMENDMENT AND RESPONSE TO OFFICIAL ACTION deposited by Certificate of Mailing on January 7, 2002, and not to a SUPPLEMENTAL AMENDMENT AND RESPONSE TO OFFICE ACTION deposited by Certificate of Mailing on January 17, 2002. Both papers appear to comply with 37 CFR 1.121. The amendment of January 7, 2002 cancelled five paragraphs of specification, and added a new paragraph, so that the amendment was in compliance with 37 CFR 1.121(b)(1)(iii), the last sentence, which states: "A marked up version does not have to be supplied for an added paragraph ... as it is sufficient to state that a particular paragraph has been added ...".

In response to the Notice of Non-Compliant Amendment of 02/11/2002, Applicant hereby respectfully states that the paragraph substituted for the cancelled five paragraphs in the Amendment of January 7, 2002 was an added paragraph which did not include any of the cancelled text, so that it is not possible to submit a marked-up version.

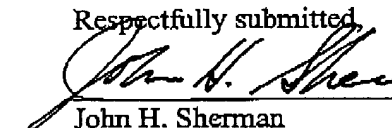
Please telephone the undersigned at 319-369-3661 if there is any suggestion for facilitating formal allowance of the case, or if a further response to the NOTICE OF NON-COMPLIANT AMENDMENT OF 02/11/2002 is required.

[TO: EXAMINER JAMARA A. FRANKLIN (Page 2 of a Two Page
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Respectfully submitted,


John H. Sherman
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Attorney for Applicant
Telephone: 319-369-3661

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CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this transmittal and **RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT OF 02/11/2002** (of two pages including this Certification), is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

February 19, 2002
Date


John H. Sherman, Reg. 16,909